

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 20 and 27. Applicant respectfully submits no new matter has been added. Accordingly, claims 20-33 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 102(b)

Claims 20-33 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 6,161,008). The Applicant respectfully traverses the rejection of the currently pending claims.

The Applicant respectfully submits that the Lee reference does not identically disclose all the elements recited in claim 20, as amended. More specifically, the Lee reference does not identically disclose: (a) receiving a service-related event related to said message at a server after said message has been sent; (b) selecting a target access device regardless of whether or not a sender of said message subscribes to said messaging service; and (c) performing all the recited steps at the server.

First, the interaction between the user application resident on the user's device and the server application disclosed in the Lee reference takes place before the user application sends the message (e.g., col. 15, lines 19-38). The Lee reference does not identically disclose receiving a service-related event related to said message at a server after said message has been sent as recited in claim 20, as amended. As a result, the Lee reference does not identically disclose each and every element recited in claim 20, as amended, and is, therefore, allowable under 35 U.S.C. § 102(b).

Second, the calling user in the Lee reference must be a subscriber to the service and have the user application resident on his/her device or a gateway associated with his/her device (col. 21, lines 4-17). The Lee reference does not identically disclose selecting a target access device regardless of whether or not a sender of said message subscribes to said messaging service as recited in claim 20, as amended. As a result,

the Lee reference does not identically disclose each and every element recited in claim 20, as amended, and is, therefore, allowable under 35 U.S.C. § 102(b).

Third, the personal mobility system disclosed in the Lee reference requires the use of a user application resident on the user's device (or a gateway associated with the user's device) to perform the service functions and a server application (e.g., col. 2, lines 27-44; col. 6, line 55-col. 7, line 30; col. 12, lines 54-65; Figures 2, 5 and 6). In addition, any formatting changes to the messages are made by the calling user's user application (col. 21, lines 25-42). The Lee reference does not identically disclose performing all the recited steps at the server recited in claim 20, as amended. As a result, the Lee reference does not identically disclose each and every element recited in claim 20, as amended, and is, therefore, allowable under 35 U.S.C. § 102(b).

Whereas claim 27 recites limitations analogous to those of claim 20, it is also not anticipated by Lee. Furthermore, whereas claims 23-26 and 28-33 are dependant from claims 20 and 27, respectively, and include the limitations thereof, those claims are also patentable.

3.) Prior Art Not Relied Upon

In paragraph 6 on page 5 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Cameron', with a stylized flourish at the end.

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